

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
JAMES K. BREDAR
U.S. MAGISTRATE JUDGE

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August 31, 2005

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Subject: *Johnstown Welding & Fabrication Industries, Inc. v. Morgan-Keller, Inc.*
Civil No. MJG-05-1013

Dear Counsel:

I am writing to memorialize the rulings made last week in a teleconference between the Court and counsel.

This action has been referred to me for disposition of discovery disputes. Pending and ready for disposition is a motion to compel discovery and for sanctions pursuant to Fed. R. Civ. P. 37, no responses to discovery requests having been timely served. (Paper No. 16).

The motion to compel discovery is hereby GRANTED. There has been a complete failure of discovery by the plaintiff, and this failure has generated the undue expense of motions practice to the defense. The plaintiff is hereby sanctioned in the amount of \$1,000.00, payable to the defendant within 10 days of the date of this Order. Terry L. Graffius, Esquire, who apparently has been active in this case and who was the signatory in the response to the instant motion, is hereby directed to enter his appearance in the case within 10 days of the date of this Order. Written responses to the discovery propounded by the defense in June 2005 will be produced within 5 days of the date of this Order. The discovery deadline for the defense is hereby extended 45 days. The deadline will remain as it was for the plaintiff.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an Order.

Very truly yours,

/s/

James K. Bredar
United States Magistrate Judge

JKB/cw

cc: The Hon. Marvin J. Garbis
Court file
Chambers file